Legal Services Society
2010/2011—2012/2013

Service Plan

Legal
Services
Society

British Columbia
www.lss.bc.ca

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Writer: Kathryn Spracklin

Editor: Jennifer Hepburn

Designer: Gillian Boyd

Project owner: Harold V. J. Clark, CHRP

The *Service Plan 2010/2011 – 2012/2013* is a publication of the Legal Services Society (LSS). LSS is a non-government organization that provides legal aid to British Columbians. LSS is funded primarily by the provincial government and also receives grants from the Law Foundation and the Notary Foundation.

The *LSS Service Plan 2010/2011 – 2012/2013* is also available in PDF on the LSS website at www.lss.bc.ca.

Letter from the Board Chair to the Minister Responsible and Accountability Statement

January 31, 2010

The Honourable Michael de Jong, QC
Attorney General and Government House Leader
Province of British Columbia

Dear Mr. Attorney:

On behalf of the board of directors and employees of the Legal Services Society (LSS), I am pleased to present our service plan for 2010/2011 – 2012/2013.

To fulfill its mandate, the Legal Services Society offers legal representation for financially eligible people with serious family, child protection, criminal, or immigration problems, as well as information and advice services designed to help people resolve legal problems on their own. These programs help achieve early and lasting solutions for people with low incomes, greater efficiency for the justice system, and prudent management of public funds.

Surveys show legal aid inspires public confidence and perceived fairness in the justice system. The Legal Services Society is a recognized leader in the provision of well-managed, outcomes-based legal aid. But one key issue remains—the need for sufficient and stable funding. The recent economic turbulence—and its impact on both the number of people needing legal aid and on the Legal Services Society's interest-based revenues—underscores the importance of the society's commitment to collaboration with our stakeholders and funders. Through ongoing dialogue, plans for sustainable funding can be developed to ensure the society's continued success in delivering innovative and cost-effective legal aid.

The society's key challenges are largely driven by external factors such as the economy, the number of people charged with criminal offences, family break up, immigration policies, the number of children placed in government care, and the revenue available to the society.

While the Legal Services Society remains committed to its goals, these challenges obliged the board to revisit its strategic priorities in 2009/2010 to ensure the society is best positioned to address these external pressures. The result was three significant initiatives.

The first was to significantly reduce the society's groundbreaking work on integrated services and to focus on core services in family, criminal, child protection, and immigration law. The board continues to believe an integrated approach to legal aid (i.e., addressing a client's legal problems along with any contributing non-legal problems such as homelessness, poverty, or addiction) better serves people with low incomes, the justice system, and the people of BC as a whole. However, this approach to legal aid is not sustainable given our current levels of funding.

The second was a new service delivery model that reduces infrastructure costs in order to maximize the funding available for core services. This led to a 40 percent workforce reduction, the

replacement of five offices with an alternative service delivery model, the elimination of civil law services and the LawLINE telephone advice service, and withdrawal of most services from the Nanaimo Justice Access Centre. These changes will have a significant impact on the society and its staff, but were needed to sustain and improve the broad range of information, advice, and representation services the society offers to individual British Columbians.

The third was to embark upon a process to simplify the LSS tariff system by consolidating almost 200 tariff items into a smaller number of billing categories. This will provide greater cost certainty for the society, easily understood retainer parameters for clients, and a streamlined billing process for lawyers.

The initial stages of these initiatives began late in 2009/2010 and their implementation and assessment will be the society's primary focus in 2010/2011 to ensure the anticipated benefits are realized.

The past year also saw significant praise for one of the Legal Services Society's most successful cost-containment initiatives—its large case management program. *The Report of the Review of Large and Complex Criminal Case Procedure*, written by the Honourable Patrick LeSage, QC, and the Honourable Mr. Justice Michael Code for the Ontario government, recommended that Ontario adopt several of the society's procedures and policies to address the problems associated with the ever-increasing cost and complexity of large criminal cases.

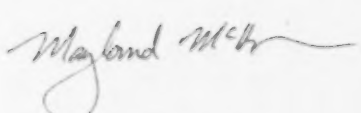
This is my final year on the society's board and I would be remiss if I did not recognize all the board members I have served with over the past six years, as well as the society's skilled and dedicated staff for their tremendous commitment to improving the lives of those less fortunate.

Statement of accountability

The *Legal Services Society Service Plan 2010/2011 – 2012/2013* was prepared under the board's direction in accordance with the Budget Transparency and Accountability Act and the BC Reporting Principles. The plan is consistent with the BC government's strategic priorities and Fiscal Plan. The board is accountable for the contents of the plan, including the selection of performance measures and targets.

All significant assumptions, policy decisions, and identified risks, as of January 31, 2010, have been considered in preparing the plan. The performance measures presented are consistent with the society's mandate and goals, and focus on aspects critical to the society's performance. The performance targets in this plan were determined based on an assessment of the society's budget, operating environment, forecast conditions, risk assessment, and past performance.

Yours truly,



D. Mayland McKimm, QC
Chair, LSS Board of Directors

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Organization Overview

The Legal Services Society (LSS) provides legal aid in British Columbia. Created by the Legal Services Society Act in 1979, LSS is a non-profit organization that remains independent of government. Our priority is to serve the interests of people with low incomes.

Our core services

Core legal aid services include legal information, advice, and representation.

- **Legal information**: The society's legal information services are delivered by front line staff and local agents, and through publications and websites. Other information services include training and support for community advocates who work with LSS clients. LSS also collaborates with community and government agencies to ensure people with low incomes have access to the other services they need to solve their legal issues.
- **Legal advice:** LSS offers legal advice through criminal, family, and immigration duty counsel in courthouses across BC, and through the Brydges Line telephone service for people who have been or may be arrested. LSS also provides family advice lawyers at various locations. LSS advice services can be subject to a financial eligibility test.
- **Legal representation**: LSS provides legal representation for financially eligible people with serious family law, child protection, or criminal law problems. Legal representation is also available for people who face a refugee or deportation hearing, a Mental Health Review Panel or BC Review Board hearing, or who have a prison issue for which the Charter of Rights and Freedoms establishes a right to counsel.

Our service delivery model

The society works closely with our partners in the justice system—lawyers, advocates, community and government agencies—to best address the legal needs of our clients. Legal aid intake services are delivered in person at legal aid offices across the province and over the phone through the toll-free LSS Call Centre. Lawyers who accept LSS referrals provide most of the legal representation services. LSS also contracts with lawyers and other service partners to provide additional services, such as Brydges Line. In 2010/2011, LSS will transition from a regional centre to a primarily local agent service delivery model to sustain community-based in-person services while reducing infrastructure costs.

The society works to ensure that legal aid services are accessible to all communities. For example, LSS provides the call centre for people who cannot apply for legal aid in person, as well as interpreters for call centre clients as needed. We also pay for interpreters for clients working with legal aid lawyers and produce legal information publications in a variety of languages.

For more information about legal aid services and eligibility criteria, visit the LSS website at www.lss.bc.ca. For a detailed profile of LSS, see "Legal aid facts" on the website under "Media."

Our clients

LSS provides legal aid services to the province's most poor, vulnerable, and marginalized citizens. Our clients do not have the financial resources—or frequently the educational, social, or health resources—to effectively access the justice system when their families, freedom, or safety are at risk. We strive to engage our clients in finding solutions to their legal problems. By taking an integrated approach, legal aid services can help clients prevent future legal issues and increase their ability to positively contribute to society.

LSS mandate

Under section 9 of the current LSS Act, the society's mandate is to:

- help people solve their legal problems and to facilitate access to justice,
- establish and administer an effective and efficient system for providing legal aid to people in BC, and
- provide advice to the Attorney General about legal aid and access to justice for people in BC.

Section 9 also states that the society is to:

- give priority to identifying and assessing the legal needs of people with low incomes in BC,
- consider the perspectives of both justice system service providers and the general public,
- coordinate legal aid with other aspects of the justice system and community services, and
- be flexible and innovative in carrying out its mandate.

Section 11(4) of the act limits the amount of legal aid the society can provide to any client to "the extent of legal or other services that a reasonable person of modest means would use to resolve the problem."

Governance

The society is governed by a nine-member board of directors. Under its bylaws, the board's role is "to ensure the effective governance of the society through setting direction, monitoring performance, and hiring and supporting the executive director."

LSS is committed to strong corporate governance practices that enable public accountability and transparency. The society adheres to the governance principles established by the Board Resourcing and Development Office (BRDO) and is in full compliance with BRDO guidelines. To maintain excellence in board governance, LSS reviews its governance framework regularly to ensure it meets the society's ongoing business needs while being consistent with recognized best practices.

Board of directors

The governance framework of the board consists of policies and bylaws that reflect established governance best practices.

Of the nine board members:

- five are appointed by the Lieutenant-Governor in Council on the recommendation of the Attorney General, and
- four are appointed by the Law Society of BC after consultation with the executive of the BC Branch of the Canadian Bar Association.

The LSS Act outlines the need for the board as a whole to have a range of knowledge, skills, and experience in such areas as:

- business management and the financial affairs of public and private sector organizations;
- law and the operation of courts, tribunals, and alternative dispute resolution processes;
- the provision of legal aid;
- BC's cultural and geographic diversity; and
- the social and economic circumstances associated with the special legal needs of people with low incomes.

At their first meeting in each fiscal year, the directors of the board elect a board chair and an Executive Committee. Headed by the board chair and consisting of at least two other board directors, the Executive Committee holds all the powers of the board between meetings, except the power to fill vacancies on or alter the membership of board committees and specific powers excluded by resolution of the board.

The board also establishes two board committees to help it carry out its responsibilities:

- the Finance Committee, which makes recommendations on the society's finances, funding, and fiscal allocations; and
- the Stakeholder Engagement Committee, which recommends ways to strengthen the society's relationships with key stakeholders in the justice system.

The chair, in consultation with the society's executive director, appoints the committee members, unless the board directs otherwise. For more information about the LSS board and its governance practices, visit the society's website at www.lss.bc.ca and see "Who we are" under "About us."

LSS Board of Directors (at January 31, 2010)

Board members	Board committees
D. Mayland McKimm, QC (Victoria)	Chair, LSS Board of Directors Chair, Executive Committee
Barbara Brink, CM, OBC (Vancouver)	Member, Executive Committee Member, Stakeholder Engagement Committee
Tom Christensen, lawyer (Vernon)	Member, Executive Committee Member, Stakeholder Engagement Committee
David Crossin, QC (Vancouver)	Vice-chair, LSS Board of Directors Member, Executive Committee
Sheryl Lee, CA (Vancouver)	Chair, Finance Committee
Deanna Ludowicz, lawyer (Grand Forks)	Member, Finance Committee Member, Stakeholder Engagement Committee
Todd Ormiston (Victoria)	Chair, Stakeholder Engagement Committee
Darrell J. Wickstrom, lawyer (Vancouver)	Member, Finance Committee
Marion Wright (Campbell River)	Lead member on board governance

Senior management

The board of directors appoints an executive director to administer the business of the society. The executive director chairs the society's Executive Management Committee (EMC), which is made up of the directors of the four internal LSS divisions. EMC provides LSS with overall strategic direction, policy, and planning.

EMC also makes final decisions on strategic and operational issues brought forward by the Operations, Planning, and Policy Committee. This management committee advises EMC on interdivisional policy and planning, strategic and service planning, management initiatives, operational support issues, and policies for coverage, eligibility, and tariffs.

LSS directors (at January 31, 2010)

Mark Benton, QC, Executive Director

Harold V. J. Clark, CHRP, Strategic Planning, Policy, and Human Resources

Sherry MacLennan, lawyer, Public Legal Information and Applications

Heidi Mason, lawyer, Legal Advice and Representation

Catherine McNeil, CA, Finance and Corporate Services

LSS senior managers (at January 31, 2010)

Joel Chamaschuk, Information Technology

Margaret Currie, lawyer, Audit and Investigation

Brad Daisley, lawyer, Communications and General Counsel

Corinne de Bruin, Strategic Planning and Policy

Noreen Finnerty, CHRP, Human Resources and Organizational Development

Craig Goebel, lawyer, Intake and Regional Centres

David Griffiths, lawyer, Legal Services

John Simpson, lawyer, Community and Publishing Services

Janice Staryk, Tariff Services

Eugene Wandell, CMA, Finance and Administration

Strategic Context

Like all organizations in a global economic downturn, the Legal Services Society is facing continued uncertainty regarding revenue and demand for services in the coming years. The *LSS Service Plan 2010/2011 – 2012/2013* outlines our strategies for maintaining legal aid services for those most in need in these uncertain times. The key strategic issues identified by LSS for the planning period are described on pages 7–9.

Since 2002, LSS has developed an innovative and collaborative service delivery model that ensures people with low incomes in BC have access to needed legal aid services under the society's mandate and fiscal structure. Legal aid renewal was introduced in 2008 to guide our efforts to provide legal aid services that help clients achieve timely and lasting solutions to their legal problems. It was designed to encourage clients' participation in finding solutions and to integrate legal aid with services that help clients address the social, financial, and health issues that arise from or trigger legal problems. Legal aid renewal aligns closely with the Ministry of Attorney General's justice reform initiatives. While the fiscal pressures confronted by the society and our partner agencies will slow or limit implementation, LSS will continue to prioritize working collaboratively with the Ministry of Attorney General and other partners on projects that help advance our legal aid renewal goals.

To respond to current fiscal challenges, LSS is again reviewing how it delivers legal aid services. Simplification of our tariff and a shift from a regional centre-based to a local agent-based delivery model will be at the heart of changes anticipated for 2010/2011 – 2012/2013. Reducing infrastructure and administrative costs will promote greater flexibility, accountability, and cost certainty. It will also ensure LSS has the resources to sustain our ability to provide innovative and collaborative legal aid services that enable people with low incomes to effectively address their issues within the justice system.

Capacity

LSS continues to enhance the strategic and operational processes that enable the society to undertake the strategies laid out in this plan, as well as to respond effectively to our changing environment. In the longer term, simplification should ease capacity pressures by reducing administrative costs and increasing flexibility to address fiscal challenges. However, the transition to a new model will increase demand on capacity at a time when staffing levels have been reduced. LSS anticipates capacity challenges during the transition period.

Vision, mission, values

Our vision, mission, and values statements guide our work as we continue legal aid renewal.

LSS vision

Our vision is a British Columbia where all people are able to find timely and lasting solutions to their legal issues.

LSS mission

Our mission is to provide innovative and collaborative legal aid services that enable people with low incomes to effectively address their issues within the justice system.

LSS values

Making a positive difference: We work with clients to help them find solutions to their legal issues and prevent future issues. We strive to ensure people with low incomes get equal access to and the intended benefits from the law.

Leadership: We seek to understand our clients' needs and collaborate with our community and justice system partners to develop innovative services to respond to those needs. We strive to ensure that all staff understand the society's vision and values, and support each other to achieve our mission.

Respect: We recognize diverse cultures, needs, and perspectives. We act with compassion, tolerance, and integrity in our relationships with our clients, community and justice system partners, and co-workers.

Service excellence: We engage stakeholders in the design of our services and evaluate our services to ensure that our clients are achieving the best possible outcomes. We recognize that the work of all LSS staff and partners contributes to service excellence.

Key Strategic Issues

The following tables outline the primary strategic issues identified for 2010/2011 – 2012/2013, an assessment of the risks and opportunities these issues represent, and the society's intended responses. The goals referenced in the tables below appear in the next section, "Goals, Strategies, Measures, and Targets."

Issue	Risk statement	Risk likelihood	Risk consequence	Opportunity statement	LSS response
New service delivery model					
▪ New service delivery model sustains overall client access to legal aid services. ▪ LSS loses valuable skills, knowledge, and community presence of front line employees. ▪ Implementation increases employee workload and stress, and lowers morale. ▪ Shift from a mixed staff/private bar model to a sole judicare model ends the society's capacity to place referrals with staff lawyers if needed.	▪ Some clients experience reduced access to legal aid services, especially during the transition period. ▪ Partner agencies in communities formerly served by regional centres face increased client demand they cannot meet. ▪ The society's credibility as a service provider is compromised among community agencies, lawyers, and the public. ▪ Additional investment in staff recruitment, retention, and succession programs is required. ▪ LSS cannot provide representation services when referrals cannot be placed with private lawyers.	5	5	▪ Reposition legal aid in communities formerly served by regional centres and preserve needed services. ▪ Examine a range of external service provider models.	▪ Develop a transparent implementation process that supports staff, clients, and communities during the transition. ▪ Develop information resources to ensure stakeholder and public access to, awareness of, and support for legal aid services. ▪ Recognize the impacts of the transition to the new model in the employee engagement action plan. (See Goals 1 and 4)

Risk likelihood measures: 1=Rare (event may occur only in exceptional circumstances within LSS environment); 2=Unlikely (event could occur at some time within the LSS environment or once every 20 years); 3=Possible (event might occur at some time within the LSS environment or once every 10 years); 4=Likely (event will probably occur in most circumstances within the LSS environment or once every three years); 5=Almost certain (event is expected to occur in most circumstances within the LSS environment or one or more times a year).

Risk consequence measures: 1=Insignificant (no significant impact on employee engagement, LSS reputation, or service delivery/funding); 2=Minor (minor impact on employee engagement, LSS reputation, or service delivery/funding); 3=Moderate (moderate impact on employee engagement, some loss of credibility, or business operations/administration of LSS could be subject to significant review or changed ways of operating); 4=Major (major impact on employee engagement, significant loss of credibility, or effective provision of services threatened requiring top-level management intervention); 5=Critical (critical impact on employee engagement and critical loss of credibility, provision of key services threatened causing significant problems for clients, or loss of services and/or funding posing extreme consequences for LSS financially and for its reputation).

Issue	Risk statement	Risk likelihood	Risk consequence	Opportunity statement	LSS response
Turbulent economic environment					
▪ Reduced revenue from key sources and uncertain future revenue. ▪ Increased financial insecurity among BC residents, which can trigger legal problems. ▪ Higher case costs from longer and more complex cases, earlier tariff initiatives, and inflation. ▪ Increased difficulty in projecting case volumes.	▪ LSS has insufficient revenue to meet service demands. ▪ Demand for legal aid does not follow historical patterns. ▪ LSS does not meet budget targets.	4	4	▪ Make the best use of funds for clients by improving the efficiency and effectiveness of legal aid services and service delivery.	▪ Introduce a simplified tariff structure to enhance case cost certainty and reduce administrative expenses for both the society and tariff lawyers. ▪ Shift to an agency delivery model to lower infrastructure costs, preserving in-person legal aid services in BC communities and freeing up funds for additional direct client services. ▪ Continue to refine forecasting, expenditure tracking, and data analysis to guide LSS board and management decisions. (See Goal 4)
Large case management					
▪ Rising volumes and costs of large cases are disproportionate to funding allocations. ▪ Large case costs are difficult to forecast and to control.	▪ Large case costs exceed the society's exceptional case fund budget and may exceed the limits of the society's statutory service framework.	5	3	▪ Collaborate with justice system partners to improve large case management.	▪ Review large case management policy and processes to streamline administration and facilitate forecasting. ▪ Collaborate with key provincial and federal justice system stakeholders towards systemic solutions. (See Goal 4)
Aboriginal services					
▪ As part of legal aid renewal, LSS is piloting new services for Aboriginal clients that better address their legal needs. ▪ Funding for these projects ends March 2011.	▪ Legal aid services are not accessible and effective for Aboriginal clients.	4	3	▪ Demonstrate the effectiveness of pilot services for addressing the legal needs of Aboriginal clients. ▪ Establish effective, practical services for Aboriginal clients as core LSS services.	▪ Build resources within Aboriginal communities to address legal issues. ▪ Explore alternative funding arrangements to support Aboriginal legal aid services. (See Goal 1)

Issue	Risk statement	Risk likelihood	Risk consequence	Opportunity statement	LSS response
Integrated approach					
▪ Legal aid renewal projects support lawyers and other service providers to work together to help clients address their legal needs in a broad social context. ▪ Integrated services address civil law issues while family, CFCSA, criminal, and immigration law are the society's service priorities.	▪ Projects are not completed or are unsuccessful because partners have insufficient financial and human resources to sustain their contributions or have new priorities.	4	3	▪ Help clients find early and lasting solutions to their related legal issues, preventing future issues and reducing the burden on the justice system.	▪ Ongoing review of legal aid renewal projects to ensure they align with current priorities. (See Goals 2 and 3)
Public awareness and support					
▪ Changes to services and media coverage of those changes may create public misconceptions about the availability of legal aid services in BC. ▪ Research conducted in 2008 for Department of Justice Canada indicates a strong majority of Canadians agree that legal aid inspires perceived fairness of the justice system (93%) and confidence in the justice system (82%).*	▪ Eligible clients do not seek legal aid as they believe it is not available. ▪ Public support for legal aid, as well as public confidence in and perceived fairness of BC's justice system, is diminished.	3	3	▪ Strong public support for legal aid endorses sustaining legal aid in a slow economy. ▪ Enhance public confidence in and perceived fairness of BC's justice system.	▪ Stabilize resources and build support among elected and public officials and other community leaders. ▪ Develop information resources to assure client communities that legal aid services remain available and accessible. ▪ Sustain awareness of and support for legal aid services across BC through ongoing communications, outreach, and collaborative projects. (See Goal 4)

* Ab Currie, "Public Support for Criminal Legal Aid" (presentation of a national Ipsos Reid survey commissioned by the Department of Justice Canada and conducted February 2008, Association of Legal Aid Plans of Canada conference, Charlottetown, PEI, August 2008).

Risk likelihood measures: 1=Rare (event may occur only in exceptional circumstances within LSS environment); 2=Unlikely (event could occur at some time within the LSS environment or once every 20 years); 3=Possible (event might occur at some time within the LSS environment or once every 10 years); 4=Likely (event will probably occur in most circumstances within the LSS environment or once every three years); 5=Almost certain (event is expected to occur in most circumstances within the LSS environment or one or more times a year).

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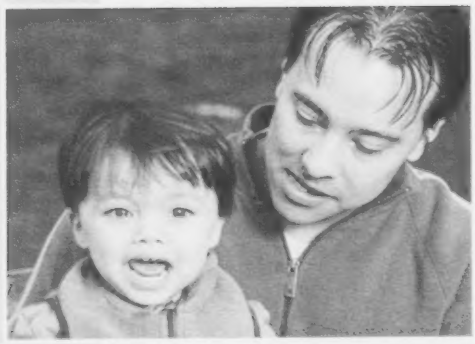

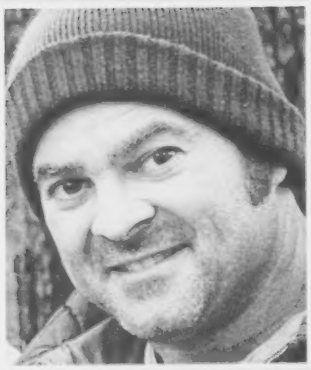

Goals, Strategies, Measures, and Targets

The goals, strategies, and performance measures outlined in this service plan are designed to engage LSS staff, our service partners, and our clients in finding timely and lasting solutions to clients' legal issues while still managing to budget.

The society's goals, continued from the 2008/2009 plan, describe our long-term commitment to legal aid renewal. The strategies to achieve these goals have been adjusted in this plan to respond to the uncertain economic environment. All adjustments are noted in the table on page 12.

Performance management system

LSS assesses its performance by surveying key stakeholder groups. LSS staff help develop the survey questions and methodology, and independent research organizations carry out the data collection and analysis to ensure data is accurate and reliable. The society also monitors and reports on key internal operational and financial data, which are tested internally.

We selected satisfaction measures to track our overall progress in achieving intended outcomes for clients. These measures also track our success in engaging the support of private lawyers, who are our primary service partners; our employees, who are critical to service quality; and the public, to whom we are ultimately accountable. Increasing levels of client and lawyer satisfaction, employee engagement, and public support will demonstrate that we are meeting these stakeholders' needs. LSS chose budget-to-actual expenditure variance as a measure of financial performance.

LSS benchmarks its performance against like organizations, where possible. By using the Common Measurement Tool, an independent client satisfaction benchmarking tool and data service provided by the Institute of Customer-Centre Service, we are able to compare client satisfaction results against government agencies providing similar services. We benchmark our employee engagement score against the BC Public Service using statistics provided by BC Stats, the organization that conducts our Work Environment Survey and administers the same survey to all BC Public Service Employees annually. Though legal aid plans across Canada have not yet developed a common method of measuring performance, we regularly share performance and outcome information. Our lawyer satisfaction results, for example, are benchmarked against roughly comparable results from legal aid plans in Alberta and Ontario.

We set targets by considering benchmark data, calculating what would be a statistically significant change in a particular measure, and evaluating the level of improvement possible given the strategies in place and activities planned in the coming period. Meeting our targets would demonstrate continuous improvement in stakeholder satisfaction with, support for, and use of our services, as well as financial responsibility, all of which are necessary to achieve our goals.

Adjustments to Service Plan 2010/2011 – 2012/2013

Goals	Strategies	Measures
Goal 1 *Use*		
No change	▪ Shifted the focus of strategy 1.1 from building to sustaining awareness of legal aid services. ▪ Shifted focus of strategy 1.2 from the provision of accessible services to monitoring the impact of new service delivery model on client access. ▪ Removed strategies on using technology to provide accessible services and on evaluating services, as both are core operational work.	▪ No change
Goal 2 *Participate*		
No change	▪ Added reference to "related legal issues" to strategy 2.1 to underscore our emphasis on integrated services. ▪ Added reference to "local agents" to strategy 2.2 to reflect the importance of the local agent role. ▪ Added new strategy on promoting community engagement to support client participation in resolving legal issues.	▪ No change
Goal 3 *Integrate*		
Adjusted wording from "non-legal issues" to "people get help with related legal issues" to clarify current scope of legal aid renewal.	▪ Added reference to "local agents" to strategy 3.2 to reflect the importance of the local agent role. ▪ Removed strategy 3.4 "Promote an integrated approach to providing legal aid services to all stakeholders" to reflect the narrowed scope of legal aid renewal given current fiscal circumstances.	▪ No change
Goal 4 *Manage*		
No change	▪ Adjusted strategy 4.1 to respond to the impact of the transition to a new service delivery model on LSS staff. ▪ Added strategies 4.3 (implement tariff simplification), 4.4 (shift to new service delivery model), and 4.5 (enhance large case management) to respond to current fiscal challenges. ▪ Removed strategies on lawyer recruitment and retention, on financial forecasting and reporting, and on responding to legislative and policy changes as all are core operational responsibilities.	▪ No change

Goal 1
Use

People with low incomes who have legal issues use LSS services.

Strategies
1.1 Sustain public and intermediaries' awareness of the availability of legal aid services through promotion and outreach.
1.2 Monitor the impact of the transition to an agency delivery model on client access.
1.3 Pilot services for Aboriginal clients and adapt current LSS services to meet their needs.

Performance measures	Actual 2008/2009	Forecast 2009/2010	Targets 2010/2011	2011/2012	2012/2013
a. Percent of clients satisfied with the accessibility of LSS services (tri-annual survey)	(2007/2008: Baseline 66% set)	N/A	70%	N/A	N/A
b. Percent of clients satisfied with the helpfulness of LSS services (tri-annual survey)	(2007/2008: Baseline 65% set)	N/A	69%	N/A	N/A
c. Percent of clients satisfied overall with LSS services (tri-annual survey)	(2007/2008: Baseline 64% set)	N/A	68%	N/A	N/A

Importance of these measures:
Client satisfaction overall and with the accessibility and helpfulness of LSS services shows that we are providing clients with the services they need when and where they need them, fulfilling our mandate to help people solve their legal problems and to facilitate access to justice.

Goal 2
Participate

People with low incomes participate in solving and preventing legal problems.

Strategies
2.1 Provide clients with information about legal aid services, related legal issues, and their rights early in the process.
2.2 Support local agents, lawyers, and intermediaries to engage clients in solving their legal issues.
2.3 Enhance opportunities for community engagement to support clients' participation in solving their legal issues.

Performance measures	Actual 2008/2009	Forecast 2009/2010	Targets 2010/2011	Targets 2011/2012	Targets 2012/2013
a. Percent of clients satisfied with LSS support to help them participate in resolving their legal issues (tri-annual survey)	N/A	N/A	N/A	Baseline set	N/A
b. Percent of lawyers satisfied with LSS support to increase their ability to engage clients in solving their legal issues (tri-annual survey)	N/A	Baseline set	N/A	N/A	tbd

Importance of these measures:
Clients who participate in finding solutions to their legal problems are more likely to achieve positive, lasting outcomes. Measures a and b assess the effectiveness of the support provided by LSS to clients and lawyers to help clients participate.

Goal 3
Integrate

People with low incomes get help with related legal issues so they can solve and prevent legal problems.

Strategies

3.1 Coordinate/collaborate with other service providers to increase clients' access to services for their related legal issues.

3.2 Support LSS staff, local agents, lawyers, and intermediaries to assess and refer clients to services for their related legal issues.

3.3 Modify LSS services to better address clients' related legal issues.

Performance measures	Actual 2008/2009	Forecast 2009/2010	Targets 2010/2011	Targets 2011/2012	Targets 2012/2013
a. Percent of clients who say LSS informed them about services to address their related legal issues (tri-annual survey)	N/A	N/A	Baseline set	N/A	N/A
b. Percent of lawyers satisfied with LSS support for increasing their ability to help clients address related legal issues (tri-annual survey)	N/A	Baseline set	N/A	N/A	tbd
c. Percent of lawyers who support the integrated approach to providing legal aid services (tri-annual survey)	N/A	Baseline set	N/A	N/A	tbd

Importance of these measures:

Clients who get help for their related issues are more likely to achieve positive, lasting solutions to their legal issues. Measure a tracks the effectiveness of LSS efforts to provide clients with information about services for related legal issues. Integrating services requires all service partners to have the necessary skills and resources. Measures b and c assess our progress on supplying lawyers with the tools and information to support this approach.

Goal 4
Manage

LSS manages resources soundly.

Strategies
4.1 Implement an employee engagement action plan that recognizes the impacts of the transition to a new delivery model and responds to the 2008 work environment survey.
4.2 Enhance LSS responsiveness to changes in demand for services.
4.3 Introduce a simplified LSS tariff to increase cost certainty, reduce administrative expenses for LSS and tariff lawyers, and free up resources for direct client services.
4.4 Shift to an agency delivery model to reduce infrastructure costs.
4.5 Review and implement changes to large case management to streamline administration and facilitate forecasting of case costs.
4.6 Sustain public and political support for legal aid services.

Performance measures	Actual 2008/2009	Forecast 2009/2010	Targets 2010/2011	2011/2012	2012/2013
a. Overall employee engagement score (tri-annual survey)	(2007/2008: 70)	N/A	73	N/A	N/A
b. Percent of lawyers satisfied with the overall support provided by LSS (tri-annual survey)	(2006/2007: 75%)	84%	N/A	N/A	tbd
c. Number of new lawyers taking more than five referrals/year (annual measure)	67	>64	tbd	tbd	tbd
d. Budget-to-actual expenditure variance (annual measure)*	-0.17%	<1.5%	<1.5%	<1.5%	<1.5%
e. Percent of the public that supports the provision of legal aid services (annual survey)	94%	>90%	>90%	>90%	>90%

Importance of these measures:

High employee engagement in the public sector, tracked by measure a, is linked to improved service for clients. Measures b and c qualitatively and quantitatively assess our progress on building a sustainable supply of lawyers to provide services to clients across BC. Maintaining a low budget-to-actual expenditure variance, measure d, shows that we are effectively managing expenditures. Sustained public support for legal aid, measure e, should enhance government confidence in our services.

*The budget-to-actual expenditure variance is calculated at year-end using the following formula:
Variance = actual expenditures/budgeted expenditures. Specific expenditures that are funded separately as they occur are excluded from this calculation.

Shareholder's Letter of Expectations

LSS and the Ministry of Attorney General jointly approve a shareholder's letter of expectations (SLE) from the ministry to the society each year.

The government uses SLEs to communicate its priorities, mandate direction, and key performance objectives to each Crown agency for the coming year. For LSS, the shareholder's letter supplements the three-year Memorandum of Understanding (MOU) between LSS and the ministry, which sets out the roles and responsibilities of both parties as well as the anticipated funding LSS will receive from the ministry and the priorities for allocating that funding. The SLE also supplements the LSS Act, which establishes the overall mandate and administrative framework for the society.

Our actions to address the direction set out in the SLE for 2010/2011 are outlined in the table below.

Shareholder's letter of expectations	LSS alignment
Financial performance	
▪ Work with the shareholder to ensure LSS meets budget variance targets. ▪ Prepare monthly reports that set out and forecast the financial situation of the exceptional matters fund.	▪ LSS has established rigorous cost monitoring and forecasting models to help ensure the society meets budget targets. ▪ LSS will continue to provide monthly reports to the Ministry of Attorney General on exceptional matters.
Support policy, planning, and program coordination	
▪ Cooperate and coordinate with justice system partners on justice reform initiatives that further LSS goals. ▪ Collaborate with shareholder on issues such as large cases. ▪ Promote early, collaborative dispute resolution in child protection and family law cases.	▪ LSS will collaborate with the Ministry of Attorney General on justice transformation initiatives as revenue allows. ▪ LSS will collaborate with key stakeholders in the justice system to enhance large case management. ▪ LSS will continue to support early, consensual dispute resolution in family and CFCSA cases through the simplified tariff as revenue allows. ▪ LSS will continue to communicate with the Ministry of Attorney General on government and society priorities and the LSS service plan throughout the annual planning process.

Shareholder's letter of expectations	LSS alignment
Legislative framework	
▪ Conduct operations and financial activities consistent with legislative and policy framework established by government.	▪ LSS is in compliance with the LSS Act and the MOU. ▪ LSS regularly provides financial, statistical, and other information about legal aid services to the Attorney General on request.
Communication	
▪ Establish a working group to meet monthly, as required, to ensure effective and efficient day-to-day communication between the ministry and LSS.	▪ LSS will participate in working group meetings to review and coordinate budget development, strategic priorities, policy and program development, issues related to legal aid and access to justice, and other issues as they arise.
Reporting	
▪ Meet performance reporting requirements as set out in the Budget Transparency and Accountability Act, the Financial Administration Act, and the Financial Information Act.	▪ LSS will continue to meet all reporting requirements.
Climate change	
▪ Comply with government requirements to make the public sector carbon neutral by 2010.	▪ LSS will review a new environmental policy that engages staff in efforts to reduce our greenhouse gas (GHG) emissions. ▪ LSS will review and develop print and copy monitoring solutions to reduce paper usage; complete conversion to recycled paper; minimize business travel; and build new premises to sustainability standards (Leadership in Energy and Environmental Design—LEED). ▪ LSS will complete and file carbon neutral action reports as required.
Support Healthier Choices Initiative	
▪ Ensure all non-contracted vending machines located in facilities owned or leased by LSS have food products that meet the nutrition guidelines.	▪ There are no vending machines in facilities owned or leased by LSS. ▪ LSS encourages healthier options for meetings where food is provided. ▪ The society's Wellness Program supports staff participation in a range of health and wellness activities, including physical fitness, weight loss, smoking cessation, and lunchtime life-skills lectures.

Financial Outlook

LSS summary financial outlook 2009 – 2013 *(in millions)*

	2008/09	2009/10	2010/11*	2011/12*	2012/13*
	Actual	Forecast	Budget	Forecast	Forecast
Revenue					
Provincial grant funding	$ 69.4	$ 67.4	$ 66.4	$ 66.4	$ 66.4
Other funding	8.5	5.6	5.0	5.0	5.0
Total revenue	77.9	73.0	71.4	71.4	71.4
Expenses					
Contracted representation	60.2	54.8	56.0	56.0	56.0
Client liaison and initiatives	12.0	10.5	6.5	6.5	6.5
Infrastructure and operational support	9.8	11.3	8.9	8.9	8.9
Total expenses	82.0	76.6	71.4	71.4	71.4
Net income (deficit)†	(4.1)	(3.6)	0.0	0.0	0.0
Internally restricted surplus	5.9	2.3	2.3	2.3	2.3
Debt	0.0	0.0	0.0	0.0	0.0

Note 1: Actual results from 2008/09 were summarized from Audited Financial Statements prepared in accordance with Canadian generally accepted accounting principles for not-for-profit organizations. All other information was prepared in a consistent fashion.

Note 2: On December 15, 2006, the Board of Directors restricted $11.0 million for board-directed strategic issues. On December 18, 2008, the board amended the restriction to permit expenditures on transition costs, operations, and possible future innovative projects.

* Government of BC funding for LSS expenditures for the years 2010/11 through 2012/13 is not yet confirmed.

† The LSS Act authorizes the society to incur expenditures and liabilities in a given fiscal year of up to, but not exceeding, its total revenue for the year and accumulated surplus from previous years. For 2009/10, LSS has an authorized operating deficit of $4.5 million.

Key assumptions

- The Ministry of Attorney General and the Treasury Board will not permit any operating deficit for LSS in future years. This prevents LSS from using accumulated surplus for services.
- No material changes in the number of cases prosecuted by the province and no material changes in the Provincial Court hours of service.
- No material changes to the Memorandum of Understanding.
- No material changes in the demand for legal aid or in the poverty rate in BC.
- No provision has been made for cost increases as a result of the changes to the Criminal Code by the Government of Canada.
- Cost estimates for the new service delivery model are based on current and historic application volumes.

Forecast: risks and sensitivities

- Unanticipated increases in the volume or average cost of cases, including increases from federal Criminal Code changes.
- Ministry of Attorney General funding to LSS for 2010/2011 for exceptional cases will be $2.7 million. Significant changes in policy, process, and review of future and current commitments on large cases would be required to manage costs down to $2.7 million.
- Changes in interest rates and economic conditions affecting non-governmental revenue sources.
- Inflationary pressures.
- Demand management may not be able to successfully contain costs, including exceptional case costs. Anticipated costs for exceptional cases are $4.7 million for 2011/2012.
- 2011/12 and 2012/2013 forecasts do not represent accurate forecasts of revenue and expenditures, as they are largely extrapolated from the 2010/11 budget. The cost and scope of services is expected to change over a three-year period.

For more information:

Mark Benton, QC
Executive Director
Legal Services Society
400 – 510 Burrard Street
Vancouver, BC V6C 3A8

Telephone: 604-601-6000
Website: www.lss.bc.ca

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